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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/092,199	03/04/2002	Jiaping Song	SLA 1167	8581

55286 7590 06/14/2007
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EXAMINER

QIN, YIXING

ART UNIT	PAPER NUMBER
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2625

MAIL DATE	DELIVERY MODE
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06/14/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

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**BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES**

Application Number: 10/092,199
Filing Date: March 04, 2002
Appellant(s): SONG, JIAPING

MAILED

JUN 14 2007

Technology Center 2600

Gerald Maliszewski
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed 5/1/06 appealing from the Office action mailed 2/28/06.

(1) Real Party in Interest

A statement identifying by name the real party in interest is contained in the brief.

(2) Related Appeals and Interferences

The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

(3) Status of Claims

The statement of the status of claims contained in the brief is correct.

(4) Status of Amendments After Final

No amendment after final has been filed.

(5) Summary of Claimed Subject Matter

The summary of claimed subject matter contained in the brief is correct.

(6) Grounds of Rejection to be Reviewed on Appeal

The appellant's statement of the grounds of rejection to be reviewed on appeal is correct.

(7) Claims Appendix

The copy of the appealed claims contained in the Appendix to the brief is correct.

(8) Evidence Relied Upon

6185000	Shiota	2-2001
2002/0054350	Kakigi et al	5-2002

(9) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 4 recites the limitation "...to select the print time stamp option..." in the first limitation of the claim. There is insufficient antecedent basis for this limitation in the claim.

Claim 10 recites the limitation "...to select the print time stamp option..." in the third limitation of the claim. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

I. Claims 1, 3-7, 10, 11, and 13-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kakigi et al (U.S. PUB No. 2002/0054350) and in view of Shiota (U.S. Patent No. 6,185,000).

Regarding claim 1, Kakigi discloses a method for using a printer to interpret time stamp information from a digital camera, the method comprising:

receiving image information from a digital camera in a first format with corresponding time stamp information at a printer interface; (One can see from Fig. 1 of Kakigi that a printer can receive data from a memory card of the camera. The card contains time information as seen in item 110.)

converting the image information and time stamp information to bitmap information; (Kakigi discloses in paragraph [0022] that a bit map image is generated from the data read.)

at a printer front panel, displaying the images with corresponding time-stamp for editing; (Fig. 26)

in response to the editing, embedding time stamp bitmap information in the image bitmap information and, supplying the edited images with corresponding time stamps to a print engine for printing. (Kakigi discloses in the 4th and 5th lines of paragraph [0122] that there is an editing means for editing the image forming instruction data (see Fig. 5 – the last time of item 23 discloses inherent image information such as a date) in the data processor. Kakigi discloses in paragraph [0148] that the data processor 101 is in the printer of Fig. 1. Although Kakigi does not explicitly disclose that the date (i.e. time stamp) is embedded in the image after editing, it would be inherent that this is so, since the Kakigi reference discloses the date information as part of the inherent image information in item 23 of Fig. 5.)

As previously mentioned, the Shiota reference disclosed that the time stamp editing can be done through a computer then sent to a printer. However, the Kakigi reference alludes to the fact that there are multiple ways to process images (i.e. directly from the camera to the printer, or from the camera to a computer then to the printer – similar to the embodiments in the applicant's specification). Thus, it would be obvious that one of ordinary skill in the art can modify Kakigi's invention to include an editing program like the one in Shiota on the printer since one of Kakigi's main points is that the involvement computer is not necessary and processing can be performed on the printer (or even the camera) itself. However, the current state of the claims do not explicitly

state that the editing is performed on the printer's control panel even though this is what is implied.

Both Kakigi and Shiota are in the art of printing images with time stamps from a digital camera. Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to improve the capabilities of the Kakigi invention by using the time stamp editing program of Shiota in the Kakigi invention's printer.

Regarding claim 3, Kakigi discloses further comprising:

opening a first format interpreter; (Fig. 5 and P[0272] and [275] , item 103)

wherein receiving image information from a digital camera in a first format includes using the first format interpreter to accept the image information and corresponding time stamp; and, (Fig. 1)

wherein converting the image information and time stamp to bitmap information includes using the first format interpreter to convert the image information and corresponding time stamp into bitmap information. (P[0272] and [275] , item 403)

Regarding claim 4, Kakigi discloses further comprising:

using the printer front panel to select the "print time stamp" option; and (P[0453] and Fig. 35, Fig. 43)

wherein converting the image information and time stamp to bitmap information includes converting the time stamp into bitmap information in response to selecting the "print time stamp" option. (P[0453] and Fig. 35, Fig. 43)

Regarding claims 5 and 14, Kakigi discloses wherein receiving image information from a digital camera in a first format includes receiving information in a first format selected from the group including joint photographic experts group (JPEG) and tagged image file format (TIFF) formats. (P[0008]).

Regarding claims 6, Kakigi discloses a printer for receiving images from a camera for printing.

It does not explicitly disclose "further comprising: using the printer front panel to select a time stamp layout for a corresponding image; and.

wherein supplying the images with corresponding time stamps for printing including supplying the image with the selected time stamp layout."

However, However, the Shiota reference, discloses time stamp layouts in Fig. 1.

Kakigi and Shiota are combinable because both are in the art of printing images with time stamp information

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to have improved Kakigi's invention with the ability to choose time stamp layouts.

The motivation would have been to enable better user customization when printing.

Therefore, it would have been obvious to combine Kakigi and Shiota to obtain the invention as specified.

Regarding claims 7 and 16, Kakigi discloses a printer for receiving images from a camera for printing.

It does not explicitly disclose "selecting the time stamp layout for the corresponding image includes selecting from the group including the location of the time stamp on the image, the time stamp font style, the time stamp font size, and the time format."

However, However, the Shiota reference, discloses this in Fig. 1 item 9 a font type.

Kakigi and Shiota are combinable because both are in the art of printing images with time stamp information.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to have improved Kakigi's invention with the ability to choose time a font style

The motivation would have been to enable better user customization when printing.

Therefore, it would have been obvious to combine Kakigi and Shiota to obtain the invention as specified.

Regarding claims 10 and 11, Kakigi discloses a method for a printer to interpret time stamp information from a digital camera, the method comprising:

receiving image information at a printer interface from a digital camera in a first format selected from the group including joint photographic experts group (JPEG) and tagged image file format (TIFD formats, with a corresponding time stamp information; (P[0008])

at a printer front panel. displaying the images with corresponding time stamps for editing; (Fig. 26)

using the printer front panel to selecting the "print time stamp" option; (P[0453] and Fig. 35, Fig. 43)

using the printer front panel to select a time stamp layout for a corresponding image; (this has been addressed in claim 7 above).

converting the image information and time stamp information to bitmap information; (Kakigi discloses in paragraph [0022] that a bit map image is generated from the data read.)

in response to the selected time stamp layout option, embedding time stamp bitmap information n in the image bitmap information; (Kakigi discloses in the 4th and 5th lines of paragraph [0122] that there is an editing means for editing the image forming instruction data (see Fig. 5 – the last time of item 23 discloses inherent image information such as a date) in the data processor. Kakigi discloses in paragraph [0148] that the data processor 101 is in the printer of Fig. 1. Although Kakigi does not explicitly disclose that the date (i.e. time stamp) is embedded in the image after editing, it would be inherent that this is so, since the Kakigi reference discloses the date information as part of the inherent image information in item 23 of Fig. 5.) and

supplying the edited images with corresponding time stamps to a print engine for printing. (P[0148]).

Regarding claim 13, Kakigi discloses wherein the user interface front panel receives images for display, receives image modification user prompts, and supplies commands to the controller for modifying the images with corresponding time stamps; (Kakigi discloses in the 4th and 5th lines of paragraph [0122] that there is an editing means for editing the image forming instruction data - see Fig. 5 – the last time of item 23 discloses inherent image information such as a date - in the data processor) and,

wherein the controller modifies the bitmap image data in response to commands from the user interface front panel. (Again, see claim 6 above for the discussion of image editing using the printer's front panel).

Regarding claim 8, the Kakigi and Shiota references disclose techniques for printing an image with time stamp information using a printer.

It does not explicitly disclose “using the printer front panel to select miscellaneous superposition overlays for corresponding images; and,

wherein supplying the images with corresponding time stamps for printing including supplying images with the selected superposition overlays.”

However, Kobori, discloses in Figs. 2, 3, and 4 that various texts and background can be synthesized with an image. Column 3, lines 66-68 and column 4, lines 1-19 of Kobori discloses that it is the system controller that controls the various overlaying.

Kakigi, Shiota and Kobori are combinable because all three references are in the art of manipulation and printing of images. Again, the Kobori reference was cited to show that the overlaying of images with text, background, etc. is known in the art of printing.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to improve Kakigi's invention with Shiota's and Kobori's editing capabilities.

The motivation would be to allow users more flexibility in customizing their images.

Therefore, it would have been obvious to combine Kakigi, Shiota and Kobori to obtain the invention as specified.

(10) Response to Argument

Applicant's arguments filed 5/1/06 have been fully considered but they are not persuasive.

1. Applicant argues that the receiving of an image with a superimposed title is not the same process as embedding time stamp bitmap information into the image bitmap information.

As previously discussed, the date information of the Kakigi reference is inherent part of the image data that is being sent to a printer. Since the Kakigi reference is converting the image into bitmap data, the date would inherently be converted since it is part of the inherent information of the image. Since the date information is inherently part of the image, the date information is inherently embedded within the converted bitmap image. While the applicant's technique may be different than Kakigi, the Kakigi reference still reads upon the claims in their current state.

2. Applicant argues that neither Shiota nor Kakigi describe a printer that is able to embed time stamp bitmap information in an image bitmap. Alternately stated, the claimed invention time stamp bitmap information is embedded in the image bitmap without the use of a specialized printer driver.

In looking at claim 1, the third limitation says that "...at a printer front panel, displaying the images with corresponding time-stamps for editing..." This merely states that one can see images on a printer control panel, but never states the printer or control panel is used to edit the images (e.g. one can see an image on the printer control panel, but use a computer to edit the image that is seen, as in Shiota). While it is understood (from the last office action) that the meaning is for the printer to edit the image using a printer front panel, it, again, is never explicitly claimed.

3. Applicant argues that one would not combine the Shiota, Kakigi and Kobori references because of technological make up of the inventions are different.

Kobori was cited merely to disclose that the overlaying or superposing of images with text, backgrounds, etc. is known in the art of printing. Shiota does show that text is superposed on the printed image, but simply does not go into detail about the process of superposing images. Kobori was shown to discuss one technique that is known for the synthesizing of images in the art of printing. Various other techniques for overlaying images of all types are known, but Kobori was chosen simply as an example. The intent was not to specifically combine the processing technique of Kobori, but rather to take the idea and implement it in the Kakigi/Shiota inventions.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yixing Qin whose telephone number is (571)272-7381. The examiner can normally be reached on M-F 9:30-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Twyler Lamb can be reached on (571)272-7406. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



YQ

(11) Related Proceeding(s) Appendix

No decision rendered by a court or the Board is identified by the examiner in the Related Appeals and Interferences section of this examiner's answer.

For the reasons above, it is believed that the rejections should be sustained.

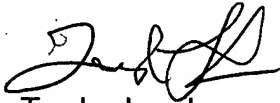
Respectfully submitted,



Yixing Qin

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Conferees:



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Director, TC 2600